

70-CR-83

**For Defendant:**  
Pat Malloy & ~~Jerry Melone~~  
Thurston Natl. Bldg., Tulsa  
Jerry M. Melone  
500 W. 7th, Tulsa

J.S. 2 mailed	4-30-70	Clerk
J.S. 3 mailed	1-31-71	Marshal
Violation	Embezzlement	Docket fee
Title	18	
Sec.	656	

4-30-70	Indictment filed in open court. h
4-30-70	Record vote of the grand jury filed in open court.h
4-30-70	Order Specifying Methods and Conditions of Release filed.Def.OR'd.h
5-13-70	Defendant present and represented. Def. arraigned and enters plea of NOT GUILTY, and granted 10 days to file motions and case to be set for jury trial. Defendant to remain on present bond.(LB-J)m/h
5-21-70	Defendant present in person and represented. Defendant withdraws his plea of Not Guilty and enters plea of Nolo Contendere. Government objects to plea, court accepts plea of NOLO CONTENDERE, and sentence deferred for 30 days. Bond of the defendant to continue.(AEB-J)h
6-12-70	Case set for sentence on Tues. 7-7-70 at 10:00am.(AEB-J)h
7-7-70	Defendant present in person and represented. At request of defendant, sentence deferred to 1-12-71 at 10:00am.(AEB-J)h
1-12-71	Defendant present in person and represented. J&S- Kenneth Gene Monteith(Age 28) Imposition of sentence suspended and the defendant is placed on probation for a period of Two (2) years from this date.(AEB-J)h
1-12-71	Order of Prob. filed & entered.(AEB-J)h Two c.c. del. to Prob.Office.h

DATE	PROCEEDINGS

UNITED STATES COMMISSIONER

70-CR-83

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Morris L. Bradford U.S. Court House, Tulsa, Oklahoma  
(Name of commissioner) (Address)

COMMISSIONER'S  
DOCKET NO. 1 CASE NO. 14  
THE UNITED STATES  
VS.

Kenneth Gene Monteith

Complaint filed on Jan. 19, 1970, by Raymond F. Loll Jr.  
Official title S/A F.B.I., charging violation of  
United States Code, Title 18, Section 656, on 8-7-67, et  
19, at Tulsa, Oklahoma in the 10-2-69  
division of the Northern district of Oklahoma  
as follows: embezzle \$7,500.00 from Farmers and Mer-  
chants Bank & Trust Co. of Tulsa, Oklahoma, a memb-  
er of F.D.I.C., while an employee of said bank and  
did convert to his own use said monies, funds and  
credits of The Farmers & Merchants Bank & Trust C  
(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date January 19, 1970 Warrant/Summons for Kenneth Gene Monteith  
to (name and title of officer) U.S. Marshall or any other authorized officer  
Substance of return Personal service on Defendant  
Date Warrant/Summons for  
to (name and title of officer)  
Substance of return  
M. M. EWING, CLERK  
U. S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Jan. 19, 1970 Arrested by Carl Gardner  
Appearances { for United States Hubert Bryant  
for accused Pat Malloy & Jerry Malone  
Proceedings taken Defendant appeared in person and with Counsel; Advised of right  
to Preliminary Hearing and requested same.

If arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

If that is the fact; any adjournments taken, etc.

Outcome Preliminary hearing set for Jan, 26, 1970 at 9:30 A.M. Rel on Own Bond

Bail fixed Jan. 19, 1970 Amount, \$1,000.00 Bonded  
deposited by (name) Address  
transmitted to clerk of district court, 19 [or] by surety  
(name) Address  
(name) Address, who  
justified by affidavit dated, 19, [or] committed to  
on, 19.

SUBPOENAS FOR WITNESSES ISSUED:

Jan 21, 1970, for (name of witness) Jerry O. Lewis % Farmers & Merchants Bank  
 at request of (name of party) Hubert H. Bryant, Asst U.S. Attorney  
 Substance of return Personal Service on Jan. 22, 1970

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
 at request of (name of party)\_\_\_\_\_  
 Substance of return\_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
 at request of (name of party)\_\_\_\_\_  
 Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date 1-26 & 2-26, 1970 Appearances for

{	United States	(Name)	Hubert H. Bryant
		(Address)	Tulsa, Okla.
	Accused	(Name)	Pat Malloy & Jerry Malone
		(Address)	Tulsa, Oklahoma

WITNESSES FOR UNITED STATES: (List names and addresses)

Raymond F. Loll Jr. FBI Tulsa, Okla.  
 Jerry O. Lewis Tulsa, Okla.

WITNESSES FOR ACCUSED: (List names and addresses)

V.C. Holloway Tulsa, Okla.

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_ 19\_\_\_\_  
 Proceedings taken At conclusion of Hearing Attorney for Defendant requested time  
 to file brief on question of probable cause. Hearing continued until 2-26-70.  
 Briefs were timely filed by both Plaintiff and Defendant. On 2-26-70 Comm.  
 held the Plaintiff had proven probable cause and ordered Defendant held for  
 further proceedings in United States District Court. Defendant allowed to  
 remain free on own bond of \$1,000.00

Outcome Defendant held for further proceedings in U.S. District Court

Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$\_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash  
 deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
 transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
 [or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
 and \_\_\_\_\_ Address \_\_\_\_\_  
 who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_  
 on \_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 26th day of February, 1970

Transmitted to Clerk of United States District Court for the Northern District  
 district of Oklahoma Feb. 27, 1970

Morris L. Bradford United States Commissioner.